IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

Bail Appl..No. 416 of 2007()

CR 38/07 of Mallappally Excise Range

: PETITIONER/ACCUSED

ANILKUMAR, S/O.RAMANKUTTY,
AMBALAPARAMBU VEEDU, PULINTHANAMKARA,
KUNNAMTHANAM, MALLAPPALLY.

BY ADV. SRI.LALJI P.THOMAS

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 416 of 2007

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Dated this the 25th day of January, 2007.

ORDER

Petitioner, who is the accused in CR No.36 of 2007 of Mallappally Excise Range for offences punishable under Section 8(1) and (2) of Abkari Act for allegedly having been found in possession of 3 litres of illicit arrack on 22.12.2006 and was arrested on 29.12.2006, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in three other cases involving similar Abkari offence.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR,
JUDGE.

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